

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In the Matter of: Peter V Soumphonphakdy and
Phetdavone Keomanipheng,
Debtors.

Chapter 13
Case No. 17-23440-BHL

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Peter Soumphonphakdy and Phetdavone Keomanipheng, by and through their attorneys, have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

U. S. Courthouse - Clerk of Bankruptcy Court
517 E. Wisconsin Avenue
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must also mail a copy to:

Michael S. Georg
Debt Advisors, SC
2600 N. Mayfair Rd., Suite #700
Milwaukee, WI 53226

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

Debt Advisors, SC
2600 N. Mayfair Road, Suite 700
Milwaukee, WI 53226
T: 414-755-2400
F: 414-257-0172

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

☒ the Debtor;

☐ the Chapter 13 Trustee (post-confirmation modifications only);

☐ the holder of an unsecured claim (Name: _____) (post-confirmation modifications only).

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

A. ☐ post-confirmation;

B. ☒ pre-confirmation (Select i. or ii.):

i. ☐ Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or

ii. ☒ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are: **All creditors.**

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

- **Debtors wish to pay their student loans outside of the Plan, clarify payment of Attorney's Fees, pledge one-half of net refunds to the Plan and to account for mortgage arrears through the Plan.**

4. The reason(s) for the modification is/are: **Debtors wish to pay their student loans outside of the Plan, clarify payment of Attorney's Fees, pledge one-half of net refunds to the Plan and to account for mortgage arrears through the Plan.**

5. Select A. or B.

A. ☐ The Chapter 13 Plan confirmed or last modified on is modified as follows:

B. ☒ The unconfirmed Chapter 13 Plan dated April 16, 2017 - is modified as follows:

The Debtors shall pay the claims of the Navient, and other student loan claims, directly outside of the Plan. The total attorney fee as of the date of filing the petition is \$3,500.00.

The amount of \$450.00 was paid prior to the filing of the case. The balance of \$3,050.00 will be paid through the Plan. Pursuant to 507(a)(2) and 1326(b)(1), any tax refund submission received by the trustee will first be used to pay any balance of Debtors' Attorney's Fees. Further, Debtors shall turn over to the Trustee 50% of all net federal and state income tax refunds received during the term of the Plan. The Trustee shall pay any arrears for Pennymac Loan Services's secured claim in full through the Plan at an interest rate of 0%.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated this 25th day of September, 2017.

DEBT ADVISORS, S.C.
/s/ Michael S. Georg
Michael S. Georg, # 1029502

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2600 N. Mayfair Road, Suite 700
Milwaukee, WI 53226
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F: 414-257-0172

**UNITED STATES BANKRUPTCY COURT
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 Phetdavone Keomanipheng,
 Debtors.

Chapter 13
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CERTIFICATE OF MAILING

The undersigned, an Attorney, does hereby certify that a copy of the Motion to Modify Chapter 13 Plan filed this day, was electronically served or mailed on September 25, 2017 to:

1. United States Trustee's Office, via ECF.
2. Scott Lieske, Chapter 13 Trustee, via ECF.
3. All Creditors (See attached matrix).
4. Debtors.

Dated this 25th day of September, 2017.

DEBT ADVISORS, S.C.

/s/ Michael S. Georg

Michael S. Georg, # 1029502

Debt Advisors, SC
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Milwaukee, WI 53226
T: 414-755-2400
F: 414-257-0172

Label Matrix for local noticing
0757-2
Case 17-23440-bhl
Eastern District of Wisconsin
Milwaukee
Mon Sep 25 13:13:49 CDT 2017

Alliance Collection Ag
3916 S Business Park Ave
Marshfield, WI 54449-9029

Aspire Federal Credit Union
c/o Peter J. Liska. LLC
766 Shrewsbury Avenue
Tinton Falls, NJ 07724-3001

Aurora Medical Group
P.O. BOX 343910
Milwaukee, WI 53234-3910

Credit Coll
Po Box 607
Norwood, MA 02062-0607

IC System
444 Hwy 96 East
Saint Paul, MN 55127-2557

Navient
Po Box 9500
Wilkes Barre, PA 18773-9500

Pennymac Loan Services
6101 Condor Dr
Moorpark, CA 93021-2602

Phetdavone Keomanipheng
4925 W Cold Spring Rd.
Milwaukee, WI 53220-3660

Special Procedures Unit
Wisconsin Department of Revenue
PO Box 8901
Madison, WI 53708-8901

PennyMac Loan Services, LLC, its successors
3043 Townsgate Rd
Westlake Village, CA 91361-3027

(p)AMERICOLLECT INC
PO BOX 2080
MANITOWOC WI 54221-2080

Aurora Health Care
3301 W. Forrest Home Ave.
Milwaukee, WI 53215-2843

Chase Card
Po Box 15298
Wilmington, DE 19850-5298

ERMED SC
9875 S Franklin Dr
PO Box 320930
Franklin, WI 53132-6151

Internal Revenue Service
Department of the Treasury
P.O. Box 7346
Philadelphia, PA 19101-7346

Navient Solutions, LLC. on behalf of
Educational Credit Management
Corporation
PO BOX 16408
St. Paul, MN 55116-0408

Pennymac Loan Services
6101 Condor Dr, Suite 200
Moorpark, CA 93021-2602

Professional Placement Services LLC
PO Box 612
Milwaukee, WI 53201-0612

SunTrust Bank
Attn: Support Services
P.O. Box 85092
Richmond, VA 23286-0001

Alliance Col
3916 S Business Park Ave
Marshfield, WI 54449-9029

Aspire Fcu
67 Walnut Ave
Clark, NJ 07066-1640

Aurora Health Care
PO Box 341100
Milwaukee, WI 53234-1100

Comenity Bank/bstonstr
Po Box 182789
Columbus, OH 43218-2789

Emergency Medicine Specialists
P.O. Box 26428
Milwaukee, WI 53226-0428

Midland Funding LLC
Midland Credit Management, Inc
as agent for Midland Funding, LLC
PO Box 2011
Warren, MI 48090-2011

Office of the U. S. Trustee
517 East Wisconsin Ave.
Room 430
Milwaukee, WI 53202-4510

Peter Souphonphakdy
4925 W Cold Spring Rd
Milwaukee, WI 53220-3660

Quantum3 Group LLC as agent for
MOMA Funding LLC
PO Box 788
Kirkland, WA 98083-0788

Suntrust Bank Atlanta
55 Park Pl Ne Ste 1055
Atlanta, GA 30303-2531

Synch/amazon
Po Box 965015
Orlando, FL 32896-5015

Synch/ashley Homestore
950 Ferraer Blvd
Kettering, OH 45420-1469

Synch/lowes
Po Box 956005
Orlando, FL 32896-0001

West Allis Memorial Hospital
P.O. Box 341100
Milwaukee, WI 53234-1100

Wheaton Franciscan
St. Joseph's Hospital
5000 W. Chambers St.
Milwaukee, WI 53210-1688

Chad L. Schomburg
2600 N. Mayfair Road
Suite 700
Milwaukee, WI 53226-1314

Michael S. Georg
Debt Advisors, S.C.
2600 N. Mayfair Road
#700
Milwaukee, WI 53226-1314

Peter V Soumphonphakdy
4925 W. Cold Spring Rd.
Milwaukee, WI 53220-3660

Scott Lieske
Chapter 13 Trustee
P.O. Box 510920
Milwaukee, WI 53203-0161

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Americollect Inc
Po Box 1566
Manitowoc, WI 54221

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) Phetdavone Keomanipheng
4925 W. Cold Spring Rd.
Milwaukee, WI 53220-3660

End of Label Matrix	
Mailable recipients	38
Bypassed recipients	1
Total	39